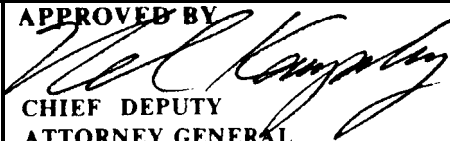


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# MANAGEMENT BULLETIN

SUBJECT  RECRUITMENT AND ADVERTISING POLICIES	ADMINISTRATIVE MANUAL REFERENCE  Administrative Bulletins: 87-1 9, 87-47 SPB Rule 444	APPROVED BY  CHIEF DEPUTY ATTORNEY GENERAL
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**THIS BULLETIN SUPERSEDES MANAGEMENT BULLETIN 87-03**

The purpose of this bulletin is to reiterate the Department's policy on publication and screening of job vacancies in order to promote the attainment of labor force parity for all groups of employees. The Attorney General is committed to the principles of affirmative action. Due to the many positive steps which have been taken, the work force picture of the Department of Justice is caning to reflect the multifaceted pool of all those employed in California.

Today, Blacks, Asians, Filipinos, Pacific Islanders and Native Americans are represented in proportion to their numbers in the total state work force as a whole. Still, there are deficiencies among these groups in upper level classifications, and professional and law enforcement occupations in particular.

Overall, the most significant differences lie in the low proportions of Hispanic employees and disabled employees in departmental employment. The Department has made improvement of Hispanic and disabled representation a priority.

We ~~we~~ need to continue our efforts to achieve parity at all levels for all protected groups and to ensure we sustain the gains we have made. The best way to achieve a balanced work force while maintaining the high standards of professional quality for which the department is known is to maximize the search for good candidates. To that end, the following policies are in effect:

## Advertising Policy

Effective October 12, 1983, the State Personnel Board adopted Rule 444 (attached) in regard to the job announcement posting requirements for transfer and training and development (T&D) opportunities.

Rule 444 establishes basic publication and screening requirements to be followed whenever a department is planning to use a transfer or T&D assignment to move an employee to an area of the State's workforce that is covered by an affirmative action or upward mobility goal. It is the policy of the Department of Justice that all vacant positions will be advertised in accordance with this policy.

Subject to certain exceptions, all vacancies for permanent positions must be advertised on an open basis for at least fifteen (15) calendar days. Please note this exceeds the minimum seven (7) day requirement in rule 444. Requests for exceptions to the fifteen (15) day policy must be approved by the Division Chief in writing, and in no case can positions be advertised for less than seven calendar days.

Rule 444 does not require a position to be advertised when: 1) the position will be filled by a promotion in place (e.g., from Office Assistant I to Office Assistant II, or Deputy Attorney General, to Deputy Attorney General III; 2) the best interests of the department, based on required job skills, justify filling the position from a civil service list; 3) when it involves movement of an employee between positions under the same appointing power that fall within the same occupational and level category for affirmative action and upward mobility goal setting purposes. Occupational and level categories, and their corresponding positions are available from your Personnel Analyst. Refer to the rule attached to this bulletin for other types of movement not covered.

#### Filling of Vacancies

Recruitment plans should be formulated prior to advertising for the position. The Affirmative Action Office (AAO) is available to assist program managers in developing those plans, and should be contacted whenever hiring is being planned for multiple positions in an underrepresented class. If insufficient applications are received from individuals in underrepresented groups, consideration should be given to extending the advertising and application period.

Copies of all announcements of vacancies are to be forwarded to the Personnel Office, 1515 K Street, Sacramento, at least five (5) working days before the advertising period begins. The Personnel Office will ensure that the Affirmative Action Office receives a copy promptly so that distribution to other potential applicants can be done immediately. Refer to Administrative Bulletin 87-41 for more information on preparation of job announcements.

Program managers are responsible for ensuring that all candidates for a position have available a standard application form, Form 678. Candidates must complete the document. All applications should be retained by program management for one year and must be submitted to the AAO upon request. When a candidate from an underrepresented group is not selected and qualified applicants from an underrepresented group were available, program management remains responsible for providing justification to the Division Chief. The justification should delineate the job-specific knowledge or skills possessed by the nominee which warranted the appointment. A copy of the approved justification should be retained and forwarded to the AAO on request.

#### Document Processing

All Requests for Personnel Action (RPA's) for appointments to permanent positions must be approved at the Division Chief level and should be submitted to the Personnel Office at least ten (10) days prior to the effective starting date for the employee. Refer to Administrative Bulletin 87-10 and 88-47 for more information on RPA's and T&D processing.

If you have any questions regarding the policies in this bulletin, please call the AAO or your Personnel Analyst.

STATE PERSONNEL BOARD  
PUBLICATION AND SCREENING  
RULE 444

**444.** Publication and Screening

- (a) Unless exempted under **section (b)** of this rule, all transfer and training and development that result in an employee moving to a position that **is** covered by an affirmative action or upward mobility goal established pursuant to Government Code Sections 19232, **19402**, or **19790** shall be subject to the following posting and screening requirements.

- (1) Advance notice of the opportunity for **such** movement shall be posted for at least **seven** days at the **worksites** of eligible departmental employees. Posting may be limited to geographic areas within which employees could **reasonably** be expected to accept the opportunity without a change of residence. **The** Executive Officer may **specify** a broader area of notice consistent with recruitment patterns for the class when she/he determines that an adequate affirmative action candidate group does not exist within the area **specified** above

Alternatives to this posting process may be allowed when the Executive Officer finds that such alternatives are at least **as** effective as the prescribed **process** in meeting established affirmative action and upward mobility goals.

- (2) The advance notice shall describe the opportunity and its duration and location and **shall** state that the opportunity is being offered consistent with State laws and Executive Orders **ensuring** equal opportunity for employment regardless of an applicant's **sex**, race, religion, ancestry, disability, age, or sexual orientation.
- (3) All **applicants must** be considered based on published standards and criteria that have been made available to them during the application filing period. The consideration may consist of an application evaluation, oral interview, or similar civil service selection techniques.
- (4) All applicants shall be informed of the results of the screening process. the results will be used to select employees for future vacancies or training opportunities, the applicants shall be informed of their eligibility for such future selection.

- (b) **Transfers** and training and development **assignments** shall be exempt from the requirements-specified in section (a) when they:

- (1) Involve movement of an employee between positions that are within the **same** classification and appointing power.

- (2) Are intended to remedy a particular employee's performance deficiency that **has been** identified through the **performance evaluation process** conducted **pursuant to** Government Code Sections **19172 or 19992.2**; or
- (3) Provide **a modified work assignment that is necessary to continue the** employment of an injured or disabled employee; or
- (4) Involve movement of an employee between **positions** under the **same** appointing power **that** fall within the **same** occupational and level category for affirmative action and upward mobility goal-setting **purposes**; or
- (5) Are necessary to avoid the need to layoff or **demote an** employee, or involuntarily **transfer** an employee to another classification or to another geographic location that would require an **employee to** change his or her place of residence;  
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- (6) Are needed to continue the employment of an individual hired through the Career Opportunity Development Program established by the Welfare Reform Act of **1971**.

**AUTHORITY:** Government Code Section 18701

**REFERENCE:** Government Code Sections 19233, 19406, and 19792